

COUNCIL COMING ATTRACTIONS



Week of Jan. 16, 2017

Minimum Wage, Greater Lyttonsville Sector Plan, Youth Workforce Development and Property Tax Credit for Seniors and Veterans




Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html>.

Also the Council meeting schedule may change from time to time. The current Council and Committee agendas can also be viewed at: <http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html>.

On Jan. 17 at 9 a.m. the Council will begin with an interview of County Executive's appointment of Labor Relations Administrator under the County's Collective Bargaining Law: Alexander Williams, Jr. General business will begin at 9:35 a.m. with a proclamation presentation.

-  Council President Roger Berliner will present a proclamation recognizing Korean American Day.

COUNCIL

-  **Minimum Wage Study**
The Council is scheduled to vote on whether to pursue a minimum wage economic impact study before acting on Bill 12-16, Human Rights and Civil Liberties-County Minimum Wage-Amount-Annual Adjustment. If the Council approves the minimum wage study, a vote will not be taken on Bill 12-16 on Jan. 17. Councilmember Floreen sent a memorandum to the Office of Legislative

Oversight (OLO) on Dec. 1, 2016 requesting that, “OLO contract with outside experts as soon as possible in order to conduct an economic impact analysis for Bill 12-16.” The Council staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5007&meta_id=129951 .



Bill 12-16, Human Rights and Civil Liberties-County Minimum Wage-Amount-Annual Adjustment

If the Council does not vote to move forward with the minimum wage economic impact study, the Council is scheduled to vote on Bill 12-16. The lead sponsor is Councilmember Elrich. Councilmembers Leventhal, Riemer, Navarro and Hucker are cosponsors. The HHS Committee has no majority recommendation. Council President Berliner abstained from the HHS Committee vote. HHS Committee Chair Leventhal was in favor of the bill. Councilmember Rice was opposed. The Council staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5007&meta_id=129953 .

Bill 12-16, as introduced, would: increase the County minimum wage; require the Chief Administrative Officer to adjust the County minimum wage rate each year; and generally amend the laws governing the minimum wage.

- Bill 12-16 would extend the incremental increases set in County law to go up to \$15.00 per hour effective July 1, 2020. Under the bill’s transition provisions, the County minimum wage would increase to \$12.50 in 2018, \$13.75 in 2019, and \$15.00 in 2020.
- Additionally, the Bill would require, beginning in 2021, annual adjustments to the minimum wage by the annual average increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the previous calendar year.
- In 2013, the Council enacted Bill 27-13, which established a County minimum wage for private sector employees working in the County, unless the state or federal minimum wage is higher. The County minimum wage law has been amended twice since being established by Bill 27-13. Bill 59-14 modified some of the effective dates for increases. Bill 24-15 modified the method for calculating the “tip credit” allowed to employers of tipped employees.
- The County minimum wage established under Bill 27-13, as amended, is phased in over several years. The rate was set at \$8.40 per hour effective October 1, 2014, and increased to \$9.55 per hour on October 1, 2015. It increased to \$10.75 on July 1, 2016 and will go to \$11.50 per hour on July 1, 2017.
- The County minimum wage does not apply to a worker who is exempt from the state or federal minimum wage, is under the age of 19 years and is employed no more than 20 hours per week, or subject to an “opportunity wage” under the state or federal law. Employers of tipped employees may include in the computation of their wage amount a “tip credit” not exceeding the County minimum wage less \$4.00 per hour.



Greater Lyttonsville Sector Plan

The Council is scheduled to hold a worksession on the Greater Lyttonsville Sector Plan which can be viewed:

[http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/community/lyttonsville/documents/Lyttonsville%20PBD%20%207-28-16%20\(web\).pdf](http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/community/lyttonsville/documents/Lyttonsville%20PBD%20%207-28-16%20(web).pdf) .

The PHED Committee held three worksessions on the Greater Lyttonsville Sector Plan (Nov. 21, Nov. 28 and Dec. 6). The Committee recommendations are delineated in the Council staff reports that can be viewed at:

School and transportation issues:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5007&meta_id=129955 .

Land use issues:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=5007&meta_id=129957 .

- Greater Lyttonsville is located in western Silver Spring and includes the neighborhoods of Lyttonsville and Rosemary Hills. The area is generally defined as follows: to the north, by the northern boundary of the U.S. Army Fort Detrick Forest Glen Annex; to the south, by East-West Highway and Grubb Road; to the east, by 16th Street and the CSX railroad tracks; and to the west, by the western boundary line of the Forest Glen Annex and Rock Creek.
- Greater Lyttonsville is a culturally diverse community of approximately 8,100 people. About 70 percent of its residents are African American, Hispanic or Asian.
- The vision of the Sector Plan is to preserve the integrity of the area's neighborhoods along with their heritage and character, while strategically encouraging mixed-use development near transit and expanding parks, trails and open spaces.
- Two Purple Line light rail stations are planned for the area. The Sector Plan seeks to leverage these transit facilities, address community needs and enhance neighborhood amenities.
- Pages 3-4 of the Sector Plan describe its three overarching objectives:
 - ✓ Commercial Affordability: Preserve existing businesses (including most industrially zoned land) and attract new ones.
 - ✓ Housing Affordability: Preserve the existing number of rent-restricted and market-rate affordable housing units and expand opportunities for low and moderate income households. Provide a range of housing opportunities that would allow aging in place.
 - ✓ Public Benefits and Amenities: Provide gathering spaces and other public amenities to serve existing and future residents.
- The Council received significant public testimony on the Sector Plan, with almost equal numbers supporting and opposing it. Most common, however, were the comments from those who supported redevelopment, but questioned whether the amount of new development allowed by the Sector Plan would be too much.

COMMITTEE



Electronic Residential Parking Permit Process

On Jan. 19 at 9:30 a.m. the T&E Committee will discuss the County's electronic residential parking permit process and complaints associated with visitor parking. In neighborhoods covered by the County's Residential Parking Permit Program, visitors must register for parking daily (either on-line or by phone). The County's Department of Transportation will update the Committee about what is being done to handle complaints associated with visitor parking. The staff report will be available on Jan. 17.

- The County's Residential Parking Permit Program has been in effect since 1974. It was initiated to provide relief for residents whose neighborhoods are impacted by public facilities and land uses, such as Metrorail stations, that result in non-residential parking on neighborhood streets. Parking by non-residents can restrict access by residents to street parking, increase air and noise pollution and create unsafe traffic conditions.
- In June 2015 the County implemented a Digital Residential Parking Permit Program for residents to make it more convenient to register for a residential parking permit. Permitted vehicles are identified by their license plate instead of a decal or paper permit.
- The annual cost of this permit is \$20. Residents can register online at: www.Montgomerycounty.digitalpermits.com for the Digital Residential Parking Permit Program.



Abandonment – Portion of McKinley Street in Bethesda

The Committee will review an abandonment request received from Mr. Young Chung who lives at 8618 Ewing Dr. in Bethesda. He is seeking an abandonment of 1,613 square feet of right-of-way along the length of his side lot line. The purpose is to correct an error made by a contractor resulting in a fence encroaching upon the right-of-way. The entire right-of-way is 50 feet wide and has a paved walkway situated in the center. The request does not affect the right-of-way

needed for the walkway, although the fence does encroach 20 feet into the right-of-way. The County Executive recommends denial of the abandonment request. Council staff concurs with the County Executive's recommendation. The staff report will be available on Jan. 17.



Executive Regulation 23-16, Pesticides – Invasive Species

The Committee will review Executive Regulation 23-16, which provides a list of invasive species that a person may use a registered pesticide to control because of their potential detrimental effects on the environment. The pesticide applications would be allowed despite the County's restrictions on the use of registered pesticides on private or County-owned property. The list may be updated as research continues on other invasive species. More information on this research can be found at www.montgomerycountymd.gov/lawns. The staff report will be available on Jan. 17.



Office of Procurement

On Jan. 19 at 9:30 a.m. the GO Committee will continue their work on recommendations made by the Minority Owned and Local Small Business Task Force and the Procurement Policies and Regulations Task Force to study the County's Minority, Female and Disabled Owned Business (MFD) Program. Cherri Branson, Director of the Office of Procurement, will update the Committee on progress made by the Office. The staff report will be available on Jan. 17.

- The Council created the Minority Owned and Local Small Business Task Force and the Procurement Policies and Regulations Task Force to study the County's Minority, Female and Disabled Owned Business (MFD) Program and the overall procurement system. Both task forces completed reports that were presented to the Council in Sept. 2015. The GO Committee reviewed recommendations from both task forces and made several recommendations to the Office of Procurement.
- The Committee also agreed to extend the sunset date for the MFD Program to Dec. 31, 2019, with the understanding that the Executive should complete a new study prior to the extended sunset date.



OLO Report 2017-3, Mapping the Montgomery County Procurement Process

The Committee will receive a briefing on OLO Report 2017-3. The full report can be viewed at: <http://www.montgomerycountymd.gov/OLO/Resources/Files/2017%20Reports/OLO%20Report%202017-3%20%20Mapping%20the%20Montgomery%20County%20Procurement%20Process.pdf>.

OLO Report 2017-3 includes detailed process maps for various types of procurements – requests for proposals (RFPs), invitations for bid (IFBs), open solicitations, and non-competitive awards (community grants), including the general steps for each type of solicitation and the roles and responsibilities of various County departments involved in the process. In addition OLO staff analyzed contract execution data and spoke with using department staff to identify factors that may contribute to variations in contract execution practices and processing times.

Government procurement aims to secure quality goods and services in a timely manner and at a reasonable cost, while ensuring that all purchasing actions are conducted fairly, transparently and impartially. In recent years, the County has made a significant effort to improve its procurement system. OLO has the following recommendations aimed at continuing that improvement.

- Request that the County Executive evaluate the staffing level in the Office of Procurement and determine whether the current workload and additional procurement process requirements are met with current staffing levels.
- Request that Office of Procurement consider amending procurement law and/or policy to increase efficiency in the procurement process. Using department recommendations include increasing signature authority thresholds, reviewing CRC modification thresholds, developing hybrid community grant/contract system, allowing use of electronic signatures, permitting automatic renewal of specific contracts or increasing term length of certain contracts.

- Request that the Office of Procurement enhance its current training opportunities for using department staff who develop, administer, or manage contracts to include more training on what the Office of Procurement is looking for in the development of a solicitation package/contract, perhaps as part of the current training available in the Contract Administration Learning Path.



Bill 42-16, Taxation – Property Tax Credit – Elderly Individuals and Veterans

The Committee also will review Bill 42-16. Councilmember Floreen is the lead sponsor. Councilmembers Navarro and Rice are cosponsors. Bill 42-16 would create a new property tax credit for residents who are at least 65 years old and who have lived in the same home, with an assessed value of \$500,000 or less, for at least 40 years. Retired members of the U.S. armed forces who are at least 65 years old are also eligible for the tax credit if their home has an assessed value of \$500,000 or less. Residents who qualify would be eligible to receive a 20 percent credit for the property tax imposed on their homes. The credit would be granted annually for up to five years subject to application requirements. The staff report will be available on Jan. 17.



Youth Workforce Development

On Jan. 19 at 2 p.m. the PHED, HHS and PS Committees will meet jointly to receive a briefing and update on youth workforce development in the County. Ellie Giles, Executive Director of WorkSource Montgomery, and Gabriel Albornoz, Director of the Department of Recreation, will brief the Committees. The staff report will be available on Jan. 17.